

## REMARKS

### *Status of the Claims*

Claims 1, 4-7, 10-17 and 26-30 are pending in this application, with Claims 1, 15 and 28 being independent. Claims 10-14 have previously been withdrawn from consideration, and Claims 2, 3, 8, 9, and 18-25 have previously been canceled without prejudice. Claims 1, 15, and 28 have been amended. Applicant submits that no new matter has been added.

### *Previous Rejection*

In the Final Rejection, Claims 1, 4-7, 15-17 and 26-30 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Japanese Patent Application Publication No. 2000-050263 (Asada et al.) in view of German Patent Publication DE 100 35 109 (Cho et al.) (relying on corresponding U.S. Patent No. 6,956,971). In addition, in the Advisory Action the Examiner also cited the *MPEG Handbook* by Watkinson to show a known MPEG coding.

In response, while not conceding the propriety of the rejection, independent Claims 1, 15, and 28 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Claim 1 relates to an image processing apparatus for encoding input motion-image data by using intra-frame coding and inter-frame coding, and encoding input still-image data as pictures for a predetermined period of time by using the same encoding method as the encoding method of the motion-image data. The apparatus comprises a memory unit configured to store the input still-image data, a quantization unit configured to quantize image data, a control unit configured to control a quantization method in the quantization unit so that a quantization step

becomes smaller than a quantization step for motion-image data when still-image data stored in the memory unit is quantized, and an encoding unit.

Claim 1 has been amended to recite that the encoding unit is configured to generate intra-frame coded data and inter-frame coded data from still-image data quantized by the quantization unit, and generate from one still image, a plurality of groups of pictures in which each group of pictures includes the intra-frame coded data and a plurality of the inter-frame coded data, wherein the encoding unit generates the inter-frame coded data by encoding a coding error of the generated intra-frame coded data, and sets a start group of pictures among the generated plurality of groups of pictures as a closed group of pictures.

In contrast, the citations to Cho, Asada, and Watkinson are not understood to disclose or suggest an encoding unit configured to generate intra-frame coded data and inter-frame coded data from still-image data quantized by the quantization unit, and generate from one still image, a plurality of groups of pictures in which each group of pictures includes the intra-frame coded data and a plurality of the inter-frame coded data, wherein the encoding unit generates the inter-frame coded data by encoding a coding error of the generated intra-frame coded data, and sets a start group of pictures among the generated plurality of groups of pictures as a closed group of pictures, as recited by amended Claim 1.

Since these citations are not understood to disclose or suggest at least one feature of amended Claim 1, Applicant submits that under MPEP § 2142 a prima facie case of obviousness has not yet been established against amended Claim 1. Therefore, Applicant respectfully requests that the rejection of Claim 1 be withdrawn. And because independent Claims 15 and 28 have been amended in a similar manner, they are submitted to be allowable for similar reasons.

Therefore, Applicant respectfully requests that the rejection of Claims 15 and 28 also be withdrawn.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

### *Conclusion*

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

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